IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33057 of 2008

1. SUDHIR RAI @ MANGLA RAI SON OF KEDAR RAI
2. AKHILESH RAI SON OF GANGA RAI @ GANGA PRASAD RAI
   BOTH RESIDENT OF VILLAGE- BASANTPUR, TARUNI TOLE, BHADOGHAT, P.S. WARISHNAGAR, DISTRICT- SAMASTIPUR
3. MUKESH ROY SON OF UVERI ROY, RESIDENT OF VILLAGE- CHHAKKANTOLI, P.S. KALYANPUR, DISTRICT- SAMASTIPUR.

Versus

STATE OF BIHAR

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2 **16.10.2008** Heard learned counsels for the petitioners and the State.

Petitioners are accused for the offence under sections 363, 366A of the Indian Penal Code.

The specific allegation against these petitioners is of kidnapping the minor daughter of the informant for the purpose of marriage or ulterior purposes.

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It has been submitted on behalf of the petitioners that the petitioners have been implicated in this case falsely, and as such, the police after investigation submitted the final form in which it is observed that the victim girl was having some love affair with one Sanjay Sah, and as such, she left her parents house on her own, however, the learned Chief Judicial Magistrate differed with the same and took cognizance of the offence observing that the victim girl is still not recovered. It is further submitted that the said victim girl is living with the co-accused Sanjay Sah and the petitioners have nothing to do in the matter.

Learned counsel appearing for the State submits that the victim girl is minor and there is specific allegation against these petitioners of kidnapping.

Considering the above submissions, the nature of allegation and its seriousness, I am not inclined to grant the privilege of anticipatory bail to the petitioners. Their prayer for grant of anticipatory bail is, accordingly, rejected.

Manish/- **(Shailesh Kumar Sinha,J.)**

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